

Atty. Docket No. 0218.002.00003  
U.S. Serial No. 10/762,533

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David C. Paul, *et al.*  
Appl. No. 10/762,533  
Filed: January 23, 2004  
For: **SPINE STABILIZATION SYSTEM**

Atty. Docket: 0218.002.0003  
Art Unit: 3732  
Examiner: P. Philogene  
Confirmation No.: 5342

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**RESPONSE TO ADVISORY ACTION AND SUBMISSION OF TERMINAL  
DISCLAIMER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the advisory action mailed April 13, 2005, Applicants submit herewith a Terminal Disclaimer for entry and consideration during the examination of the above-identified application. Applicants believe that the Terminal Disclaimer overcomes the only rejections remaining and that the claims are in condition for allowance. If the Examiner believes that the present submission still does not resolve all of the issues regarding patentability of the pending claims, Applicants invite the Examiner to contact the undersigned attorneys to discuss any remaining issues. Fees for (1) a one month extension of time of \$60 and (2) a Terminal Disclaimer of \$65 are believed to be due for this submission. Please charge such fees, or any other fees which may be required for this submission, to CMFB PLLC Deposit Account No. 50-3120.

*file*

Respectfully submitted,

By *Brian J. Malm*  
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Date April 21, 2005  
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